



Feeling a bit overwhelmed
with new information?

U.S. Trustee Chapter 11 Quick Info

United States Trustee
United States Courthouse
700 Stewart Street, Suite 5103
Seattle, WA 98101-1271

Phone: 206-553-2000
Fax: 206-553-2566
Website: www.usdoj.gov/ust/r18/s_home.htm

WHAT, AND WHEN?

Initial Reporting Requirements

The Initial Reporting Requirements are due immediately after a chapter 11 case has been filed but not later than the date of the Initial Debtor Interview.

Quick Tip: Reduce time spent in the Initial Debtor Interview (see next) by completing the Initial Reporting Requirements before the interview. Either mail the documents in time for the U.S. Trustee to receive them before the interview, or bring them to the interview.

Initial Debtor Interview

An Initial Debtor Interview with the U.S. Trustee has been scheduled for this case (see enclosed cover letter for date and time). The U.S. Trustee will use this informal meeting as an opportunity to become familiar with the debtor's business and to explain the debtor's financial reporting obligations while in chapter 11.

Quick Tip: Review the U.S. Trustee's Operating Guidelines and reporting forms before attending the Initial Debtor Interview. Then use the interview as an opportunity to find out how the debtor's existing accounting system can be used to fulfill the chapter 11 reporting obligations.

Section 341(a) Meeting ("first meeting of creditors")

The Bankruptcy Code requires the debtor, through a member of its senior management personnel, to attend a meeting of creditors and to submit to an examination under oath. The U.S. Trustee presides at the meeting, which is normally held within the first 40 days after filing chapter 11. The meeting gives creditors and the U.S. Trustee an opportunity to question the debtor, with debtor's attorney present, about its business, its assets and liabilities, and its plans for reorganization.

Quick Tip: Have available for reference at the meeting of creditors the financial statements and tax returns for the two years preceding the filing. 11 U.S.C. § 521.

Monthly Financial Reports

Local Bankruptcy Rule 2015-2(a) requires the debtor to file a financial report for each calendar month. A report is due on the 15th day of the subsequent month.

Quick Tip: Having difficulty with the first monthly report? Call the U.S. Trustee's office and ask for the Bankruptcy Analyst assigned to this case. (Note: The U.S. Trustee requires a written authorization from debtor's counsel before staff are permitted to discuss administrative matters with the debtor. The U.S. Trustee usually requests such authorization from counsel during the Initial Debtor Interview.)

Statutory Fees

For the duration of a chapter 11 case, the debtor is required to pay a statutory fee to the U.S. Trustee for each partial or full calendar quarter. A fee payment is due for the preceding calendar quarter on each of these dates: April 30, July 31, October 31, and January 31. (See attached Statutory Fee Schedule and Notice.)

Quick Tip: Include the statutory fee in the debtor's operating budget. Failure to pay the fee is cause for conversion or dismissal of the case.

Disclaimer: *Quick Info* contains abbreviated information about a chapter 11 debtor's obligation to appear at certain meetings with the U.S. Trustee, and to provide financial reports and other documents. It is not a complete discussion of the debtor's fiduciary obligations while in chapter 11, nor is it a substitute for the legal advice of debtor's counsel.

WHERE?

The U.S. Bankruptcy Court in the Western District of Washington has two offices* for filing bankruptcy cases. The original place of filing, either Seattle or Tacoma, determines where the debtor will file its financial reports and where certain meetings with the U.S. Trustee will be held:

Original Place of Filing:	Seattle, WA ▼	Tacoma, WA ▼
Initial Reporting Requirements	United States Trustee United States Courthouse 700 Stewart Street, Suite 5103 Seattle, WA 98101	United States Trustee United States Courthouse 700 Stewart Street, Suite 5103 Seattle, WA 98101
Initial Debtor Interview	United States Trustee United States Courthouse 700 Stewart Street, Suite 5103 (5th Floor) Seattle, WA 98101	United States Trustee United States Courthouse 700 Stewart Street, Suite 5103 (5th Floor) Seattle, WA 98101
Section 341(a) Meeting (“first meeting of creditors”)	United States Trustee United States Courthouse 700 Stewart Street, Room 4107 (4th Floor) Seattle, WA 98101	The U.S. Bankruptcy Court’s Notice of Meeting of Creditors will indicate which of the following locations applies to this case: United States Bankruptcy Court 1717 Pacific Avenue Courtroom J (Lower Level) Tacoma, WA 98402 Federal Building 500 West 12th Street, Second Floor Vancouver, WA 98660
Monthly Financial Reports (due on the 15 th of the subsequent month)	File the <u>original</u> with the court: United States Bankruptcy Court United States Courthouse 700 Stewart Street, Suite 6103 Seattle, WA 98101 AND serve a <u>copy</u> on each of the following: ● Each member of any committees elected or appointed pursuant to the Bankruptcy Code, and to their authorized agents. ● Debtor’s counsel. NOTE: If the report is electronically filed with the Court, the United States Trustee will be served automatically. There is no need to serve an additional copy on the United States Trustee.	File the <u>original</u> with the court: United States Bankruptcy Court 1717 Pacific Avenue, Suite 2100 Tacoma, WA 98402
Statutory Fee Payments (due on April 30, July 31, October 31, and January 31)	Send fee payment to: US Trustee Payment Center Post Office Box 70937 Charlotte, NC 28272-0937 (Enclose remittance slip and put debtor’s name and case number on check.)	Send fee payment to: US Trustee Payment Center Post Office Box 70937 Charlotte, NC 28272-0937 (Enclose remittance slip and put debtor’s name and case number on check.)

* The U.S. Bankruptcy Court holds hearings in several locations throughout Western Washington. The debtor will receive notice from the court in advance of each hearing, including the location. Questions about court hearings should be directed to debtor’s counsel or to the U.S. Bankruptcy Court.

STATUTORY FEE SCHEDULE		
If the debtor's disbursements for the calendar quarter are within these amounts. . .		Then the quarterly fee due is. . .
From	To	
-0-	\$14,999.99	\$325
\$15,000	\$74,999.99	\$650
\$75,000	\$149,999.99	\$975
\$150,000	\$224,999.99	\$1,625
\$225,000	\$299,999.99	\$1,950
\$300,000	\$999,999.99	\$4,875
\$1,000,000	\$1,999,999.99	\$6,500
\$2,000,000	\$2,999,999.99	\$9,750
\$3,000,000	\$4,999,999.99	\$10,400
\$5,000,000	\$14,999,999.99	\$13,000
\$15,000,000	\$29,999,999.99	\$20,000
\$30,000,000 and above		\$30,000

Make check payable to:	For calendar quarter ending. . .	A fee payment is due on. . .
United States Trustee	March 31	April 30
Mail quarterly fee payments to:	June 30	July 31
US Trustee Program Payment Center	September 30	October 31
PO Box 70937	December 31	January 31
Charlotte, NC 28272-0937		
Send your payment and quarterly fee payment stub <i>ONLY</i> . Any disbursement stubs, monthly operating reports, correspondence, court notices, etc., sent to the lockbox <i>will be destroyed.</i>		

***** NOTICE OF INTEREST ASSESSMENT *****

Pursuant to 31 U.S.C. §3717, the United States Trustee Program will begin assessing interest on unpaid Chapter 11 quarterly fees charged in accordance with 28 U.S.C. §1930(a) effective October 1, 2007. The interest rate assessed is the rate in effect as determined by the Treasury Department at the time your account becomes past due.

NOTICE
DISCLOSURE OF INTENT TO USE TAXPAYER IDENTIFYING NUMBER FOR THE PURPOSE OF COLLECTING AND REPORTING DELINQUENT QUARTERLY FEES OWED TO THE UNITED STATES TRUSTEE PURSUANT TO 28 U.S.C. § 1930(a)(6)
Please be advised that, pursuant to the Debt Collection Improvements Act of 1996, Public Law 104-134, Title III, § 31001(i)(3)(A), 110 Stat. 1321-365, codified at 31 U.S.C. § 3701, the United States Trustee intends to use the debtor's Taxpayer Identification Number ("TIN") as reported by the debtor or debtor's counsel in connection with the chapter 11 bankruptcy proceedings for the purpose of collecting and reporting on any delinquent debt, including chapter 11 quarterly fees, that are owed to the United States Trustee.
The United States Trustee will provide the debtor's TIN to the Department of Treasury for its use in attempting to collect overdue debts. Treasury may take the following steps: (1) submit the debt to the Internal Revenue Service Offset Program so that the amount owed may be deducted from any payment made by the federal government to the debtor, including but not limited to tax refunds; (2) report the delinquency to credit reporting agencies; (3) send collection notices to the debtor; (4) engage private collection agencies to collect the debt; and, (5) engage the United States Attorney's office to sue for collection. Collection costs will be added to the total amount of the debt.